

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

EZELL ROBERTS,

Plaintiff,

v.

KEITH OVERTON, et al.,

Defendants.

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Case No. 1:18-CV-296 NAB

MEMORANDUM AND ORDER

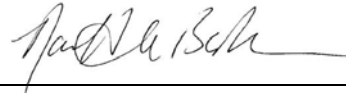
This matter is before the Court on Plaintiff's Second Unopposed Motion and Memorandum in Support for Leave to Amend Complaint. [Doc. 21.] Defendants' counsel consents to the motion. Plaintiff seeks to amend the Complaint so that he can add Danielle Wells as a defendant in place of the currently unnamed Jane Doe.

The Court should freely give leave to amend a pleading when justice so requires. Fed. R. Civ. P. 15(a)(2). Parties do not have an absolute right to amend their pleadings even under this liberal standard. *Sherman v. Winco Fireworks, Inc.*, 532 F.3d 709, 715 (8th Cir. 2008). "A district court appropriately denies the movant leave to amend if there are compelling reasons such as undue delay, bad faith, or dilatory motive, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the non-moving party, or futility of the amendment." *Id.* Because Plaintiff has identified the Jane Doe defendant and seeks to add the party to this action, justice requires that the Court grant Plaintiff's timely motion.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Second Unopposed Motion and Memorandum in Support for Leave to Amend Complaint is **GRANTED**. [Doc. 21.]

IT IS FURTHER ORDERED that the newly named Defendant Danielle Wells must submit to the Clerk's Office the Notice Regarding Magistrate Judge Jurisdiction form either consenting to the jurisdiction of a United States Magistrate Judge or opting to have the case assigned to a United States District Judge no later than **July 18, 2019**.

A handwritten signature in black ink, appearing to read 'Nannette A. Baker', written over a horizontal line.

NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE

Dated this 27th day of June, 2019.